



**Rule of Law Institutional  
Strengthening Program (ROLISP)**

**Report on Monitoring the Use of  
Voice Recorders (Dictaphones)  
by the Staff of Buiucani and Centru Court  
of Chisinau Municipality  
Period: January 21 – March 28, 2013**

**Rule of Law Institutional Strengthening Program (ROLISP)**

**USAID Contract No. AID-117-C-12-00002**

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IT development of the judicial system is a priority for the Republic of Moldova and indispensable for justice delivery because of a continuous increase in the number of cases. Automating courts is expected to benefit both judges and citizens by strengthening the judiciary's independence, improving the transparency in courts' operations and increasing the quality of justice.

The purpose of fully automating courts by means of the Integrated Case Management System (ICMS) and the recording of court hearings by the SRS Femida audio recording system is to enhance the efficiency and efficacy of the justice delivery. In addition, the ICMS and SRS Femida are intended to facilitate and automate the organization of work in Moldovan courts.

The United States Agency for International Development (USAID) Rule of Law Institutional Strengthening Program (ROLISP) is implemented by Checchi and Company Consulting, Inc. in the Republic of Moldova under the Assistance Agreement between the Government of the United States of America and the Government of the Republic of Moldova, signed on July 22, 2011. ROLISP provides technical assistance for developing the institutional capacity and increasing the transparency and accountability of the key justice sector institutions to guarantee the independence and to enhance the efficiency and professionalism of the judiciary.

On September 5, 2012, ROLISP signed the Memorandum of Understanding with the Superior Council of Magistracy (SCM) that established the parameters of the technical assistance that would be provided to the SCM to implement reforms aimed at strengthening the institutional capacity, transparency and accountability of justice sector institutions and improving the organizational, administrative and operational aspects of judicial administration and court management in Moldova.

According to the information gathered during the assessment visits to courts of law and presented in the Assessment Report of the Courts of Law in the Republic of Moldova, 25 courts do not use the audio recording system to record court hearings, 19 use it in part and 6 use it in full. One of the reasons for the limited audio recording of court hearings is that not all courtrooms are equipped with audio recording equipment. A second reason is that due to the insufficient number of courtrooms in courts of law, judges hold hearings in their chambers.

To solve this problem the SCM proposed to provide each court of law with voice recorders (dictaphones) so that they could record hearings both in courtrooms and in other rooms where hearings might be held.

At the request of the SCM, ROLISP has purchased and delivered voice recorders (dictaphones) for judges in two courts in Chisinau Municipality—the trial court of Centru Sector and the trial court of Buiucani Sector. The SCM selected these courts due to their limited number of courtrooms and large number of judges.

## ABOUT THE MONITORING

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The ROLISP representative Mr. Mihai Grosu trained the court clerks from Buiucani Court of Chisinau Municipality and Centru Court of Chisinau Municipality to use the voice recorders (dictaphones) to record court hearings and handed out the list of rules on recording court hearings with dictaphones.

Clerks and judges were trained in using dictaphones and received the following materials:

- Rules for audio recording court hearings with the digital voice recorder VN-712PC (Annex 1)
- Brief manual on making technical recordings of legal proceedings with the digital voice recorder VN-712PC (Annex 2)
- User guide for VN-712PC voice recorder

At the request of ROLISP, the Center for Special Telecommunications (SCT) provided technical assistance in creating, on the servers of the aforementioned courts, one folder for each judge to save the audio recordings of hearings made with the digital voice recorder. The SCT specialists created shortcuts for these folders on clerks' desktops.

Mr. Grosu monitored the use of voice recorders by paying 1 or 2 visits a week to the respective courts to discuss with clerks their use of dictaphones and the technical problems they had encountered with audio recording.

The results of monitoring the use of dictaphones during the testing period of January 21 through March 18, 2013, are presented in Table 1 for Buiucani Court of Chisinau Municipality and in Table 2 for Centru Court of Chisinau Municipality. The monitoring showed that these courts used dictaphones differently. As of March 18, 2013, the server of Centru Court of Chisinau Municipality contained over 4,465 audio recordings, and the server of Buiucani Court of Chisinau Municipality contained only 681 audio recording of hearing during the same period. A few judges from Buiucani Court of Chisinau Municipality had neither used dictaphones nor saved audio recordings on the court server.

The monitoring results were presented to the SCM and discussed at a meeting of the Working group for audio recording court hearings.

## THE MONITORING RESULTS

### The list of judges and the number of hearings recorded with Dictaphones in Buiucani Court of Chisinau Municipality from January 21 to March 18, 2013

Table 1

No.	Name	Number of audio recordings on the server as of January 31, 2013	Number of audio recordings on the server as of February 8, 2013	Number of audio recordings on the server as of February 15, 2013	Number of audio recordings on the server as of February 26, 2013	Number of audio recordings on the server as of March 18, 2013
1.	Balmus Svetlana	-	-	-	13	17
2.	Boico Victor	6	6	6	34	61
3.	Cojocari Elena	-	-	-	7	17
4.	Cojocaru Olga	-	-	-	19	19
5.	Danilov Aliona	3	29	43	74	119
6.	Diaconu Mihail	-	-	-	-	-
7.	Dolghieru Dorin	8	14	14	21	36
8.	Girbu Silvia	3	8	12	17	50
9.	Goncear Ion	-	-	-	-	-
10.	Lazari Sergiu	-	-	-	-	-
11.	Moscalciuc Galina	9	44	64	109	207
12.	Pavliuc Ghenadie	-	-	7	9	20
13.	Plamadeala Ghenadie	-	1	1	1	1
14.	Purteanu Liuba	6	12	15	22	25
15.	Rotari Alexandru	-	-	-	-	-
16.	Simciuc Natalia	-	-	-	-	30
17.	Sternioala Oleg	7	17	32	55	79
	<b>TOTAL</b>	<b>42</b>	<b>131</b>	<b>194</b>	<b>381</b>	<b>681</b>

Source: Center for Special Telecommunications

**The list of judges and the number of hearings recorded with Dictaphones  
in Centru Court of Chisinau Municipality from January 21 to March 18, 2013**

**Table 2**

<b>No.</b>	<b>Name</b>	<b>Number of audio recordings on the server as of January 31, 2013</b>	<b>Number of audio recordings on the server as of February 8, 2013</b>	<b>Number of audio recordings on the server as of February 15, 2013</b>	<b>Number of audio recordings on the server as of February 22, 2013</b>	<b>Number of audio recordings on the server as of March 18, 2013</b>
1.	Andronic Adela	74	123	156	171	348
2.	Avornic Maria	34	82	144	175	290
3.	Babenco Borislav	9	-	-	-	-
4.	Bivol Garri	-	47	46	46	206
5.	Brasoveanu Vladimir	55	57	181	225	345
6.	Brinza Liuba	-	77	77	110	264
7.	Busuioc Ion	-	-	86	109	225
8.	Catana Angela	-	111	159	212	313
9.	Chistol Djeta	50	146	286	286	409
10.	Efros Valeriu	57	118	167	225	405
11.	Gafton Alexandru	-	83	164	233	364
12.	Mazur Nadejda	-	95	137	181	354
13.	Nicolaie Costin	42	85	85	85	165
14.	Nita Stefan	15	60	94	117	132
15.	Palanciuc Ecaterina	25	32	44	49	51
16.	Suschevici Daria	52	58	106	154	213
17.	Turcan Ion	33	58	74	98	130
18.	Vasilevici Lilia	88	134	180	216	251
	<b>TOTAL</b>	<b>534</b>	<b>1366</b>	<b>2186</b>	<b>2692</b>	<b>4465</b>

*Source: Center for Special Telecommunications*

**RULES FOR AUDIO RECORDING COURT HEARINGS  
WITH THE DIGITAL VOICE RECORDER VN-712PC**

**1. Judges' actions in the process of audio recording a court hearing**

*During audio recording a court hearing, the judge shall:*

- Ask the clerk whether the voice recorder is ready for recording the hearing;
- Refer to the case by its number and title whenever mentioning it;
- Name the date and the exact time of starting and ending the court hearing;
- Ask the persons that do not participate in the proceedings to observe silence and inform everybody about the punishment under Article 196 of the Civil Procedure Code or Article 334 of the Criminal Procedure Code.

**2. Court clerk's duties in the process of audio recording a court hearing**

- The hearing shall be audio recorded by a clerk.
- The clerk shall make sure that the hearing is recorded properly and that the voice recorder is used correctly.
- If the clerk finds problems with the voice recorder, he shall immediately inform the judge (chief judge) about this fact.
- The recording shall start when the hearing is declared open.
- The clerk shall record the whole hearing without stopping the recording process.

**3. Post-hearing procedure**

- The clerk shall move the recording from the voice recorder to the audio recordings folder on the court server.
- Having moved the recording to the court server, the clerk shall delete the recording from the voice recorder
- The clerk shall rename the \*.mp3 audio file moved to the audio recordings folder in accordance with this pattern: Case #case\_number\_in\_ICMS of the\_date\_of\_the\_meeting.MP3. For example, *[Case #14-2-63-10012013 of 12.01.2013.MP3]*. If there are more audio recordings for the same case on the same day, the file name shall be completed with *meeting1, meeting2*.

**4. Archiving and storing digital audio recordings**

- All audio recordings shall be kept on the court server and later shall be moved to digital media (CD, DVD) that shall be kept in the court archives.
- The clerk shall move audio recordings from the computer to the audio recordings folder on the court server. For example, the folder `\\Public\Records_dictofon\`.

**5. Reporting on the use of Dictaphones**

- The clerk shall compile the list of court hearings recorded with a voice recorder, indicating, in the table, the case number, the case title and the hearing date.

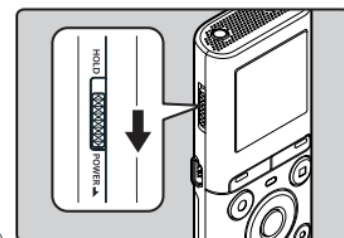
**6. Hearing minutes**

- The clerk shall use digital audio recordings of hearings to check the accuracy of minutes.
- The clerk shall include the following information in the minutes:

*The audio recording of the hearing by means of information technology:  
The device used to technically record the legal proceedings is the voice recorder of the type Olympus VN-712PC.  
Before the beginning of the hearing the clerk {Surname, Name} checked the technical condition of the audio recording device. The audio recording was saved on the court server through the local area network.*

**BRIEF MANUAL ON MAKING TECHNICAL RECORDINGS OF LEGAL PROCEEDINGS  
WITH THE DIGITAL VOICE RECORDER VN-712PC**

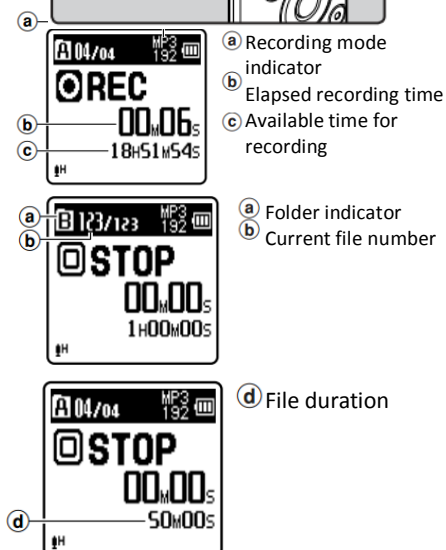
1. Switch on the voice recorder, **Push the switch POWER/HOLD in the direction of the arrow.**



2. Select the folder in the voice recorder in which you will save the recording. There are five folders: [A], [B], [C], [D] and [E]. Each one can store up to 200 files. In the stop mode press the button **FOLDER/INDEX**. The folder shall be changed on each pressing of the button **FOLDER/INDEX**.

3. Press the button **REC (●)** to start the recording. Direct the microphone toward the sound source you want to record.

4. Press the button **STOP (■)** to stop the recording.



5. The playback on the voice recorder: **1** Select the file you want to play in the folder containing it (*step 2*); **2** Press the button **▶ OK** to start the playback; **3** Press the button **+ or -** to adjust the sound volume; **4** Press the button **STOP (■)** at any moment to stop the playback.

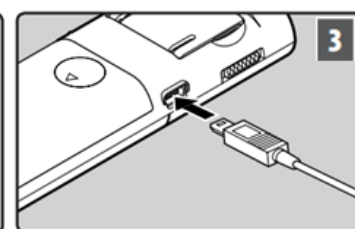
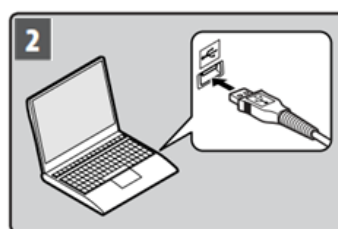
• The playback of the current file will be paused. If the resume function is active, the moment of the pause will be remembered even if the device is switched off. On switching the device on again, the playback may be resumed from the moment of the remembered pause.

6. **Using the voice recorder with the computer.**

**1** Turn on the computer; **2** Plug the USB cable into the USB receptacle of the computer; **3** Make sure that the voice recorder is in the stop mode, then plug the USB cable into the receptacle of the voice recorder. **Windows:**

When you connect the voice recorder to a computer running a Windows OS and open the folder [My Computer], the device will be displayed with its brand name.

You can play the audio files recorded with the voice recorder on a computer using Windows Media Player or other available audio player.



7. **Disconnecting the voice recorder from a computer.** **1** Click [ ] in the right end of the task bar. Click [Safely remove USB Mass Storage Device]; **2** Make sure that the LED indicator has went off before disconnecting the USB cable.

8. **Deleting audio recordings from the voice recorder:** **1** Select the file you want to delete in the folder containing it (*step 2*); **2** With the voice recorder in stop mode, press the button **ERASE**; **3** Press the button **+ or -** to select [All in folder] or [One file]; **4** Press the button **▶ OK**; **5** Press the button **+** to select [Start]; **6** Press the button **▶ OK**.

• The message [Erasing!] will be displayed and the file will be deleted. • [Erased] is displayed after the file is deleted.

